IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Writ Petition No. 1767 of 2005

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's order.	Court's or Judge's orders

Petitioner and Advocate absent.
Respondent and Advocate absent.

CORAM: A.P.SHAH AND J.H.BHATIA JJ.
11th July 2005

P.C.

1. Perused the order of the Tribunal. It is seen that the mother of the petitioner received a sum of Rs.10,13,000/-towards various dues of his deceased father. She is also receiving the family pension of Rs.5877/- including dearness allowance. It is further seen that the petitioner's family is in possession of tenement of 3 rooms in Mumbai and one of the brothers of the petitioner is working. It is well settled

that mere death of the employee in harness does not entitle the family to claim compassionate employement. Financial condition of the family of the deceased employee has to be examined and only when the authority is satisfied that the family is without any financial source and without compassionate employment family will not be able to meet the crysis then the job is to be offered as and by way of compassionate appointment. In the facts and circumstances of the case the order rejecting the compassionate appointment cannot be said to be improper. Petition is dismissed.